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Transfer

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Jurisdiction

Western Australia

Legislation

Transfer of Land Act 1893

Document details

Document type	Transfer	ELN lodgement case id	205290019
ELN id	PEXA	ELN document id	552786875
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Responsible subscriber and contact details

Name	COMMONWEALTH BANK OF AUSTRALIA	Contact fax	08 9369 8821
Customer code	EFA141	Contact phone	0436 651 593
Contact name	Carmen Avram	Contact email	
Contact address	BANKWEST PLACE LEVEL 7A 300 MURRAY STREET PERTH WA 6000	Client reference	12243462 EW

Lodgement fees

Fee description	Net	Gst	Fees
ELNO - Transfer	\$248.20	\$0.00	\$248.20
		Total	\$248.20

Land

Title(volume-folio)	Extent	Land description	Estate and/or interest
2983-610	Whole	1074/DP418376	FEE SIMPLE

Consideration

Consideration type	Monetary
Consideration amount	\$333,500.00

Transaction id	1033633696	VGO valued indicator	No
Assessment number	1033634723	Share indicator	No
SRO Client number	3146773	Exempt flag	No
Duty assessment date	22/10/2020	Exempt reason	
Dutiable amount	\$333,500.00	Contract date	14/06/2020
Duty amount	\$4,358.35	Manual verification	No
Penalty tax	0.00	First transfer	No
Foreign ownership surcharge	0.00		

Transferor

PERRON DEVELOPMENTS PTY LTD (ACN 000230446)

Transferee

MORNE VAN TONDER
HILARY MARGARET VAN TONDER
BOTH OF 4 SILVERSHOT AVENUE HARRISDALE WA 6112
AS JOINT TENANTS

FORM B1
FORM APPROVAL NO. B1212

Page No. 1 of 2 Pages.

WESTERN AUSTRALIA
TRANSFER OF LAND ACT 1893 AS AMENDED

ADDITIONAL PAGE TO TRANSFER OF LAND

Dated

Until the expiry of these restrictive covenants on 31 December 2025, the Transferee covenants and agrees on behalf of itself, its successors in title, transferees and assigns, with the Transferor, its successors in title, transferees and assigns as follows:

1 Zoning

Not to erect, permit or cause to be erected upon the Land any dwelling except:

- (a) a single residential dwelling that is either single or double-storey (not including a basement garage or loft); and
- (b) an ancillary dwelling (as that term is defined in the Residential Design Codes, being the 'R-Codes' created pursuant to State Planning Policy 3.1 prepared under section 26 of the Planning and Development Act by the Planning Commission) that complies with the requirements under the Residential Design Codes.

2 Primary Street Elevation/Façade

Not to erect, permit or cause to be erected upon the Land:

- (a) any dwelling unless it has a street front elevation width of at least 80% of the street frontage width of the Land, on any lot with a street frontage width greater than 13 metres, but this restriction does not apply if the dwelling comprises two storeys (not including any basement, garage or loft). For corner lots, the street frontage is calculated on the basis of the primary street frontage only and measured along the side of the lot parallel to the primary street, ignoring any truncation;
- (b) any dwelling which does not incorporate a portico, gable or feature wall facing the street front, and where the Land is a corner lot, on both street fronts; and
- (c) any dwelling which does not incorporate at least two different colours or textures in the street front façade, with each colour or texture making up at least 10% of the total surface area of the façade, where for the purpose of this clause 2, the façade does not include the roof, gutters, downpipes, windows or doors.

Not to alter the finished earthworks level of the Land by more than 100mm at the street boundary or construct a dwelling with a finished floor level more than 500mm above or below the mean site level of the Land.

3 Construction Material

Not to erect, permit or cause to be erected on the Land:

- (a) any dwelling or other structure that is not constructed out of new materials; and
- (b) any dwelling that is not constructed from non reflective materials being primarily rendered masonry in natural light colours, stone, bricks or brick veneer.

4 Garage

Not to erect, permit or cause to be erected on the Land any dwelling that does not incorporate a garage which:

- (a) is constructed of the same materials as the main residence;
- (b) is fully enclosed;
- (c) can house at least two cars parked side-by-side; and
- (d) has a sectional door which when closed completely screens the interior of the garage from the adjacent street or laneway.

5 Driveway

Not to erect, permit or cause to be erected on the Land any dwelling unless a driveway and crossover from the garage to the street kerb which is at least 5 metres wide and no more than 6 metres wide at the street front boundary, and which are both constructed of the same material being brick pavers or coloured concrete and constructed before occupation of the dwelling.

Transferor X



Transferor X

Transferee X



Transferee X



(Piara Waters - Cambridge Release)
Doc ID 744462303/v1

6 Landscaping

Not to erect, permit or cause to be erected on the Land:

- (a) landscaping on the street frontage of the Land between the dwelling and the street kerb of the Land, which includes a small tree and shrub planting; and
- (b) landscaping on the road verge adjacent to the Land, which includes a tree where possible.

Not to allow any front landscaping to fall into a state of disrepair or disorder.

7 Fencing

Not to erect, permit or cause to be erected on the Land any fence other than those already erected by the Transferor:

- (a) that extends forward of the front building line of the dwelling;
- (b) that is constructed from any materials other than Colorbond in "Grey Ridge" colour or equivalent Colorbond colour; and
- (c) which is not at least 1.8 metres high with "Grey Ridge" or equivalent Colorbond coloured capping, posts and rails.

8 Plant and Equipment

Not to permit or allow:

- (a) any water tank, water heater, clothes line, incinerator, compost bin, garden shed, rubbish disposal container, antenna, aerial, satellite or cable dish unless it is hidden from public view from adjacent streets and parks;
- (b) any air conditioner or evaporative cooler unless it is of a similar colour to the roof and is hidden from public view from adjacent streets and parks, and not mounted on the front elevation of the house or roof; and
- (c) any solar hot water system or solar panels unless these are visually unobtrusive from adjacent streets and parks.

9 Stormwater Drainage

Not to erect, permit or cause to be erected on the Land any dwelling that does not comply with the stormwater drainage requirements specified in the local development plan applicable to the Land from time to time.

10 For Sale Signs

Not to permit or allow any For Sale sign on a vacant block of land until at least 3 years after the issue of a separate certificate of title for the Land (and the Transferee acknowledges and agrees that any such sign may be removed by the Transferor or the Transferor's Agent).

11 Parking

Not to park or permit to be parked on the Land or adjacent street or laneway any commercial vehicles including trucks, buses, trailers, caravans, boats or other mobile machinery ("Commercial Vehicles") unless such Commercial Vehicles are contained wholly within the Land and are hidden from public view.

12 Repair

Not to carry out or permit to be carried out any repair of any motor vehicle or Commercial Vehicles on any part of the Land that is visible from the street or adjacent parks.

13 No modifications

Not to modify or allow any modification of any boundary fencing, entry statements or signage constructed by the Transferor on the Land.

14 Rubbish

Not to allow any rubbish or debris to accumulate on the Land.

15 Laneway

Where the Land is adjacent to a laneway, not to allow vehicular access to the Land other than from the laneway.

The covenants and restrictions herein contained or implied shall run with and bind the Land and shall enure for the benefit of each and every registered proprietor for the time being of any lot on the plan of subdivision of which the Land hereby transferred forms part.

The land having the benefit of these covenants are all the lots on the plan of subdivision of which the Land hereby transferred forms part.

The Land subject to the burden of these covenants is Lot 1074 on Deposited Plan 418376 being the whole of the land comprised in Certificate of Title Volume 2983 Folio 610 being the Land being transferred, the Transferor being Perron Developments Pty Ltd ACN 000 230 446 and the Transferee being Morne Van Tonder and Hilary Margaret Van Tonder.

Transferor X




Transferor X

Transferee X



Transferee X



Our Ref: 992285

23 October 2020

Registrar of Titles
Landgate
PO Box 2222
MIDLAND WA 6936

Dear Registrar

Transfer of Land: Lot 1074 on Deposited Plan 418376, being the whole of the land comprised in Certificate of Title Volume 2983 Folio 610
Seller: Perron Developments Pty Ltd
Buyer: Morne Van Tonder and Hilary Margaret Van Tonder

I, Lynnette May Lin Goh of Level 20, 240 St Georges Terrace, Perth, Western Australia, solicitor, act for Perron Developments Pty Ltd (ACN 000 230 446).

In respect of the transfer of land document for the above property, and the covenants noted on pages 1 and 2 of the said document, it is my opinion that each covenant in the transfer of land is a restrictive covenant.

Please contact me on 6559 6569 if you have any queries in relation to this matter.

Yours sincerely



Lynnette Goh
Partner
HWL Ebsworth Lawyers

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lgoh@hwle.com.au

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Facsimile 1300 704 211 (Australia) +61 3 9981 3404 (International)
hwlebsworth.com.au

ABN 37 246 549 189

Duplicate title holding and issuing details

Duplicate holding/s

NIL

Duplicate issuing

NIL

Operative clause

The transferor for the consideration herein expressed transfers to the transferee the estate and interest herein specified in the land herein described, subject to the Limitations, Interests, Encumbrances and Notifications as shown on the Certificate of Title and/or otherwise affect the land under the Transfer of Land Act 1893.

Subscriber Certification and Execution on behalf of Transferor/s

PARTNERS OF HWL EBSWORTH LAWYERS (ABN 37246549189) makes the following certifications:

1. The Certifier has retained the evidence supporting this Registry Instrument or Document.
2. The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.
3. The Certifier has taken reasonable steps to verify the identity of the transferor or his, her or its administrator or attorney.
4. The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.

Digitally signed by LYNNETTE GOH for PARTNERS OF HWL EBSWORTH LAWYERS (ABN 37246549189) on behalf of PERRON DEVELOPMENTS PTY LTD (ACN 000230446) on 23 October 2020

Subscriber Certification and Execution on behalf of Transferee/s

DIVERSE CONVEYANCING PTY. LTD. (ACN 609081423 ABN 59661085840) makes the following certifications:

1. The Certifier has retained the evidence supporting this Registry Instrument or Document.
2. The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.
3. The Certifier has taken reasonable steps to verify the identity of the transferee or his, her or its administrator or attorney.
4. The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.

Digitally signed by CASSANDRA ANNE BISGROVE for DIVERSE CONVEYANCING PTY. LTD. (ACN 609081423 ABN 59661085840) on behalf of HILARY MARGARET VAN TONDER and MORNE VAN TONDER on 23 October 2020
